

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>   Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number: 10/038,579	Confirmation Number: 4750
	Filing Date: January 8, 2002	
	First Named Inventor: Karen E. Kimball	
	Group Art Unit: 2665	
	Examiner: Alpus HSU	
	Attorney Docket Number: 07275.0030-01	
	Attorney Customer Number: 22,852	

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 C.F.R. § 1.114: Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, application must request non-entry of such amendment.

- a.  Previously submitted on \_\_\_\_\_. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
  - i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
  - ii.  Other \_\_\_\_\_
- b.  DO NOT ENTER the amendment(s) previously filed on \_\_\_\_\_. An alternate submission is attached.
- c.  Enclosed submission:
 

i. <input type="checkbox"/> Amendment/Reply	iii. <input checked="" type="checkbox"/> Information Disclosure Statement
ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)	iv. <input type="checkbox"/> Other _____

2. Miscellaneous

- a.  Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b.  Other \_\_\_\_\_

3. Fees

- a.  The filing fee is calculated as follows:
 

i. <input checked="" type="checkbox"/> \$790 RCE fee required under 37 C.F.R. § 1.17(e)	Adjustment date: 07/10/2006 CKHLOK
ii. <input type="checkbox"/> Petition for extension of time for (one month) \$ _____	0372750006 AKELLEY 00000004 060916 10038579
iii. <input checked="" type="checkbox"/> Other <u>Petition for Withdrawal of Patent from Issue and \$130 required fee</u>	02 FC:1801 790.00 CR
- b.  Check in the amount of \$920 enclosed
- c.  The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

03/20/2006 JABD01 00000030 10038579  
**Signature of Applicant, Attorney, or Agent Required**

790.00 CR

Name: Kara F. Stoll	Reg. No.: 41,484
Signature: 	Date: March 21, 2006

**Certificate of Mailing or Transmission**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, MAIL STOP RCE, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND					
1 Date of Request: <u>07/07/06</u>		2 Serial/Patent # <u>10/038,579</u>			
3 Please refund the following fee(s):			4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
<input checked="" type="checkbox"/>	Filing RCE			03/21/06	\$ 790.00
	Amendment				\$
	Extension of Time				\$
	Notice of Appeal/Appeal				\$
<input checked="" type="checkbox"/>	Petition			03/21/06	\$ 130.00
	Issue				\$
	Cert of Correction/Terminal Disc.				\$
	Maintenance				\$
	Assignment				\$
	Other				\$
			7 TOTAL AMOUNT OF REFUND	\$ <u>920.00</u>	
8 TO BE REFUNDED BY:					
10 REASON:			Treasury Check		
<input checked="" type="checkbox"/>	Overpayment	X	Credit Deposit A/C #:		
<input checked="" type="checkbox"/>	Duplicate Payment		9	0 6 -- 0 9 1 6	
No Fee Due (Explanation):					
11 REFUND REQUESTED BY:					
TYPED/PRINTED NAME: <u>Frances Hicks</u>			TITLE: Petitions Examiner		
SIGNATURE: <u>Frances Hicks</u>			PHONE: X23218		
OFFICE: Office of Petitions					
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APPROVED: <u>CKholt</u>			DATE: <u>7/10/06</u>		

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Refund Branch  
Crystal Park One, Room 802B



PATENT  
Customer No. 22,852  
Attorney Docket No. 07275.0030-01

DAC  
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Karen E. Kimball et al. ) Group Art Unit: 2665  
Application No.: 10/038,579 ) Examiner: Alpus HSU  
Filed: January 8, 2002 ) Allowed: November 25, 2005  
For: METHOD AND APPARATUS FOR ) Confirmation No. 4750  
AUTOMATIC LOAD-BALANCING )  
ON MULTISEGMENT DEVICES )

**HAND CARRY TO:** Mail Stop 313(c)  
**ATTENTION:** Frances Hicks (Office of Petitions)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION FOR WITHDRAWAL OF PATENT FROM ISSUE**

Pursuant to 37 C.F.R. § 1.313(a), Applicants hereby respectfully petition the Commissioner to withdraw the above-identified application from issue to permit consideration of an Information Disclosure Statement (IDS) under 1.97(b) being submitted in a Request for Continued Examination (RCE) pursuant to § 1.114. According to the fee schedule set forth in 37 C.F.R. § 1.17(h), the required fee of \$130.00 for consideration of this Petition is enclosed herewith.

03/22/2006 JADDO1 00000030 10038579

This request for withdrawal from issue is made to allow ~~Applicants~~ to submit for the 130.00 OP Examiner's consideration an IDS for documents that were cited in a communication from the European Patent Office issued in a counterpart foreign application on February 16, 2006. This

IDS is being filed within three months of the mailing date of that communication. Since the communication was not received until after the issue fee was paid, the withdrawal of the present application is necessary in order to allow the Examiner to consider the documents cited in that communication.

In view of the foregoing, Applicants respectfully request that this application be withdrawn from issue.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 21, 2006

By: Kara F. Stoll  
Kara F. Stoll  
Reg. No. 41,484